

AFFIDAVIT OF SERVICE

STATE OF NEW YORK

COUNTY OF NEW YORK

Maria Vigario, being duly sworn, deposes and says: I am not a party to this action, I am over 18 years of age, and my business address is 250 Broadway, 9<sup>th</sup> Floor, New York, New York 10007.

On April 11, 2008, I served the within

(1) Notice of Motion to Dismiss the Complaint, dated April 10, 2008;

(2) Notice to Pro Se Litigant Who Opposes a Rule 12 Motion Supported By Matters Outside the Pleadings, dated April 10, 2008;

(3) Declaration of Jeffrey Niederhoffer in Support of Defendants' Motion to Dismiss the Complaint, dated April 8, 2008, and Exhibits A through I attached thereto;

(4) Declaration of Michael Wyands in Support of Defendants' Motion to Dismiss the Complaint, dated April 10, 2008;

(5) Defendants' Memorandum of Law in Support of Its Motion to Dismiss the Complaint, dated April 10, 2008,

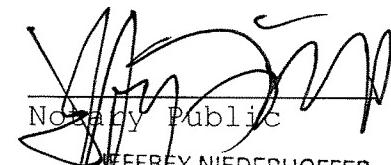
by enclosing a copy of each in a stamped wrapper properly addressed to plaintiff:

GERARD O'NEILL  
Plaintiff Pro Se  
870 Columbus Avenue, Apt. # 3C  
New York, New York 10025

and depositing the foregoing in a receptacle under the exclusive care and custody of the United States Postal Service within the State of New York.

Maria Vigario  
Maria Vigario

Sworn to before me this  
11th day of April 2008

  
Notary Public  
JEFFREY NIEDERHOFFER  
Notary Public of New York  
No. 02NI5024799  
Richmond County  
My Commission Expires March 14, ~~199~~<sup>2010</sup>